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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/019,287

01/02/2002

Yasuyuki Kawahara

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11/21/2006

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EXAMINER

OH, TAYLOR V

ART UNIT

PAPER NUMBER

1625

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/019,287

Applicant(s)

KAWAHARA ET AL.

Examiner

Taylor Victor Oh

Art Unit

1625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-8, 10, 11, 19-26, 28-30, 34-39, 41-51, 53-59, 61-71, 73-81 and 83-88 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) See Continuation Sheet is/are allowed.
- 6) ☒ Claim(s) 22, 35, 47, 67 and 77 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. 11/1/06.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

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Applicant's arguments with respect to claims 6-8, 10-11, 19-26, 28-30, 34-39, 41-51, 53-59, 61-71, 73-81, and 83-88 have been considered but are moot in view of the new ground(s) of rejection.

The Status of Claims :

Claims 6-8, 10-11, 19-26, 28-30, 34-39, 41-51, 53-59, 61-71, 73-81, and 83-88 are pending.

Claims 22, 35, 47, 67, and 77 are rejected.

Claims 6-8, 10-11, 19-21, 23-26, 28-30, 34, 36-39, 41-46, 48-51, 53-59, 61-66, 68-71, 73-76, 78-81, and 83-88 are allowable.

DETAILED ACTION

Priority

1. This application is a 371 of PCT/JP00/04838 filed on 07/19/2000.

Drawings

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2. None.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 22, 35, 47, 67, and 77 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 22, 35, 47, 67, and 77, the phrases “ the monohydric alcohol of 1 to 5 carbon atoms (P) constituting said alcohol component 1” and “ the monohydric alcohol of 1 to 5 carbon atoms (S) constituting said alcohol component 2” are recited. These expressions are vague and indefinite because in claim 19, the phrase “alcohol component 1” is defined as “ a single alcohol or alcohol mixture comprising a monohydric alcohol having 1 to 5 carbon atoms(P) and a monohydric alcohol having 6 to 18 carbon atoms(Q) and the phrase “alcohol component 2” is defined as “ a single alcohol or alcohol mixture comprising a monohydric alcohol having 1 to 5 carbon atoms(S) and a monohydric alcohol having 6 to 18 carbon atoms(T).


The scope of both “alcohol component 1” and “alcohol component 2” becomes narrowed when they are redefined in the dependent claims.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taylor Victor Oh whose telephone number is 571-272-0689. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas McKenzie can be reached on 571-272-0670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Taylor Victor Oh, MSD, LAC
Primary Examiner
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11/16/06

Continuation of Disposition of Claims: Claims allowed are 6-8,10,11,19-21,23-26,28-30,34,36-39,41-46,48-51,53-59,61-66,68-71,73-76,78-81 and 83-88.